

Notice of Allowability**Application No.**

09/658,823

Applicant(s)

GHARBIA ET AL.

Examiner

Scott Christensen

Art Unit

2444

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/7/2010.
2. ☒ The allowed claim(s) is/are 31,32,34,36,37,45,46,48,50 and 51.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 4/7/2010
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 6/17/2010
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/S. C./
Examiner, Art Unit 2444

/William C. Vaughn, Jr./
Supervisory Patent Examiner, Art Unit 2444

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Trevor Klotz (Reg. No. 26136) on 6/7/2010.

Examiner Amendments

2. The application has been amended as follows:

3. Claims 31 and 45 are Currently Amended, as presented below. Claims 1-30, 33, 35, 38-44, 47, 49, and 52-58 are Cancelled. Claims 32, 36-37, 46, 48, and 50-51 are Previously Presented, as presented by Applicant on 4/7/2010.

31. (Currently Amended) A method comprising the steps of:
executing in a computer system a first procedure which selectively launches execution
in said computer system of a predetermined project definition of a set of
predetermined project definitions in response to respective requests for
execution thereof,
wherein each said predetermined project definition is for manipulating data and
comprises: comprising:

a plurality of function portions which each correspond to one of a plurality of predetermined function definitions that are different, each predetermined function definition defining a process to be applied to the data and at least one input port and at least one output port that are functionally related according to the corresponding function definition;

a further portion which includes a source portion identifying a data source and defining an output port through which data from the data source can be produced, and which includes a destination portion identifying a data destination and defining an input port through which data can be supplied to the data destination; [[and]]

binding information which includes binding portions that each associate a respective said input port with one of said output ports; and

executing in said computer system a second procedure in association with at least one of the first procedure and the predetermined project definition, ~~the second procedure for monitoring a predetermined performance characteristic of a set of predetermined performance characteristics and determining an action relating to the at least one of the first procedure and the predetermined project definition in dependence upon at least the predetermined performance characteristic.~~
wherein the second procedure, when executed, repeatedly performs a series of steps, comprising:

monitoring a predetermined performance characteristic of a set of
predetermined performance characteristics;
determining an action relating to the at least one of the first procedure and
the predetermined project definition in dependence upon at least
the predetermined performance characteristic,
wherein the action relates to at least one of the first procedure and
the predetermined definition, and
wherein the action comprises at least one of:
terminating the at least one of the first procedure and the
predetermined project definition,
pausing execution of the at least one of the first procedure
and the predetermined project definition without
awaiting completion of the at least one of the first
procedure and the predetermined project definition,
pausing execution of the at least one of the first procedure
and the predetermined project definition upon
completing execution of the current at least one of the
first procedure and the predetermined project
definition, and
re-starting execution of the current at least one of the first
procedure and the predetermined project definition;
and

causing execution of the determined action;
queuing input information destined for the first procedure upon execution of the
determined action; and
submitting said queued input information to said first procedure upon re-starting
execution of the at least one of the first procedure and the predetermined project
definition.

Claim 33 (Cancelled)

Claim 35 (Cancelled)

Claims 38-44 (Cancelled)

45. (Currently Amended) One or more non-transitory computer-readable storage media
storing a computer program which when executed by at least one processor,
perform a method comprising: ~~is operable when executed to facilitate:~~
executing in a computer system a first procedure which selectively launches execution
in said computer system of a predetermined project definition of a set of
predetermined project definitions in response to respective requests for
execution thereof,
wherein each said predetermined project definition is for manipulating data and
comprises: ~~comprising:~~

a plurality of function portions which each correspond to one of a plurality of predetermined function definitions that are different, each predetermined function definition defining a process to be applied to the data and at least one input port and at least one output port that are functionally related according to the corresponding function definition;

a further portion which includes a source portion identifying a data source and defining an output port through which data from the data source can be produced, and which includes a destination portion identifying a data destination and defining an input port through which data can be supplied to the data destination; [[and]]

binding information which includes binding portions that each associate a respective said input port with one of said output ports; and

executing in said computer system a second procedure in association with at least one of the first procedure and the predetermined project definition, ~~the second procedure for monitoring a predetermined performance characteristic of a set of predetermined performance characteristics and determining an action relating to the at least one of the first procedure and the predetermined project definition in dependence upon at least the predetermined performance characteristic.~~

wherein the second procedure, when executed, repeatedly performs a series of steps, comprising:

monitoring a predetermined performance characteristic of a set of
predetermined performance characteristics;
determining an action relating to the at least one of the first procedure and
the predetermined project definition in dependence upon at least
the predetermined performance characteristic,
wherein the action relates to at least one of the first procedure and
the predetermined definition, and
wherein the action comprises at least one of:
terminating the at least one of the first procedure and the
predetermined project definition,
pausing execution of the at least one of the first procedure
and the predetermined project definition without
awaiting completion of the at least one of the first
procedure and the predetermined project definition,
pausing execution of the at least one of the first procedure
and the predetermined project definition upon
completing execution of the current at least one of the
first procedure and the predetermined project
definition, and
re-starting execution of the current at least one of the first
procedure and the predetermined project definition;
and

causing execution of the determined action;
queuing input information destined for the first procedure upon execution of the
determined action; and
submitting said queued input information to said first procedure upon re-starting
execution of the at least one of the first procedure and the predetermined project
definition.

Claim 47 (Cancelled)

Claim 49 (Cancelled)

Claims 52-58 (Cancelled)

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:
5. The closest prior art of record, US 6,487,677 to Jantz disclose a system that executes a second procedure to monitor a first procedure to ensure that an error condition does not occur (Jantz: Figure 2, steps 200-208. However, Jantz fails to disclose several features of claims 31 and 45, such as the details of the action, the details of the second procedure, and the queuing, as claimed. Further, no other prior art of record fairly teaches or suggests modifying Jantz with each of the details included in claims 31 and 45.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Christensen whose telephone number is (571)270-1144. The examiner can normally be reached on Monday through Thursday 6:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. C./
Examiner, Art Unit 2444
/William C. Vaughn, Jr./
Supervisory Patent Examiner, Art Unit 2444